

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ROBERT J. DI SALVIO

V.

CIVIL ACTION NO. 05-10421-RGS

TOWN OF ABINGTON, ET AL

ORDER OF DISMISSAL

STEARNS, DJ.

SEPTEMBER 7, 2005

**FOR FAILURE OF THE PLAINTIFF TO FILE A RETURN OF SERVICE
OF SUMMONS, OR SHOW CAUSE WHY SERVICE HAS NOT BEEN MADE
PURSUANT TO THE PROVISIONS OF RULE 4(m) OF THE FEDERAL RULES
OF CIVIL PROCEDURE AND LOCAL RULE 4.1(b),**

**IT IS HEREBY ORDERED: THE ABOVE-CAPTIONED ACTION IS
HEREBY DISMISSED WITHOUT PREJUDICE.**

SO ORDERED.

**RICHARD G. STEARNS
UNITED STATES DISTRICT JUDGE**

BY:

**/s/ Mary H. Johnson
Deputy Clerk**

DATED: 9-7-05